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IN THE UNITED STATES DISTRICT  
COURT FOR THE MIDDLE DISTRICT OF ALABAMA  
2007 NOV 27 A 9:34  
NORTHERN DIVISION

TONY MURRAY, # 129256, \*  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA. PLAINTIFF, \*  
Vs. \* 2:05-CV-1240  
MEF  
VELINDA WEATHERLY, \*  
DEFENDANT, \*  
\*

### MOTION FOR EXTENSION OF TIME

Now comes, Plaintiff, Tony Murray, and filing  
in the above-styled UNITED STATES DISTRICT  
COURT FOR THE MIDDLE DISTRICT OF ALABAMA  
Northern Division,

Plaintiff filing this motion for extension of time  
for the following reasons:

The Recommendation of The Magistrate Judge  
were dated 13th, day of November, 2007,  
and on or about November, 14th, 2007  
The Magistrate Judge Recommendation were  
mailed.

PLAINTIFF MURRAY RECEIVED THE ~~RE~~ RECOMMENDATION ON ABOUT NOVEMBER 17<sup>TH</sup>, 2007. THEREFORE, PLAINTIFF DOES NOT HAVE A ENOUGH TIME TO PROPER RESPONSE.

THE HONORABLE COURT ORDER PLAINTIFF MURRAY TO FILE OBJECTIONS TO THE MAGISTRATE JUDGE RECOMMENDATION ON OR BEFORE NOVEMBER 21, 2007. PLAINTIFF HAS ONLY (3) THREE DAYS TO FILE HIS ANSWER TO THE MAGISTRATE JUDGE RECOMMENDATION, PLAINTIFF CAN NOT ~~RECEIVE~~ RECEIVE ACCESS TO LAW LIBRARY UNTIL AFTER 12:30 NOVEMBER 20, 2007, AND MAY NOT BE ABLE TO ~~GO~~ GO TO LAW LIBRARY, BECAUSE PLAINTIFF DORMITORY HAVE DIFFERENT TIME TO GO TO LAW LIBRARY.

PLAINTIFF MURRAY QUOTE SECTION 1983 CASE CALLED CRUZ V. BETO, 405 U.S. 319, 322 (1972), IN THAT CASE, THE COURT STATED THAT A COMPLAINT "SHOULD NOT BE DISMISSED FOR FAILURE TO STATE A CLAIM UNLESS IT APPEARS BEYOND DOUBT THAT THE PLAINTIFF CAN PROVE NO SET OF FACTS IN SUPPORT OF HIS CLAIM WHICH WOULD ENTITLE PLAINTIFF TO RELIEF." PLAINTIFF ALSO QUOTE CONLEY V. GIBSON, 355 U.S. 41, 45-46 (1975).

THE SUPREME COURT SAID THAT IN CONSIDERING  
A MOTION TO DISMISS A PRO SE COMPLAINT  
SHOULD BE HELD TO LESS STRICT STANDARDS  
THAN A MOTION DRAFTED BY A LAWYER, CONLEY V.  
GIBSON, (SUPAR)

PLAINTIFF MURRAY PRAY THAT THIS HONORABLE COURT  
GRANT PLAINTIFF EXTENSION OF TIME TO FILE HIS  
RESPONSE TO MAGISTRATE JUDGE RECOMMENDATION  
THAT WERE FILED ON OR ABOUT 13TH DAY OF NOV-  
EMBER, 2007.

CERTIFICATE OF SERVICE

I hereby certify that I SERVED UPON THE DEFENDANT  
ATTORNEY BY PLACING IN EASTVIEW CORRECTIONAL FACILITY  
POST OFFICE BOX ON THIS DAY OF NOVEMBER 20,  
2007, AND PROPER ADDRESSED TO GREGORY O. GRIFFIN  
CHIEF COUNSEL AND HUGH DAVIS DEPUTY ATTORNEY  
GENERAL STATE BAR # ASB - ~~4358~~ 4358 - D63 F  
ALABAMA BOARD OF PARDONS AND PAROLES POST  
OFFICE BOX 302405 301 S. UNION STREET  
MONTGOMERY, ALABAMA 36130

Tony M Murray #129256  
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